

**§ 68.05-7 Vessel eligibility requirements for limited coastwise endorsement.**

(a) A vessel must comply with all the requirements of part 67 of this chapter, other than citizenship requirements, in order to be eligible for documentation under this subpart.

(b) Notwithstanding 46 U.S.C. App. 883, a vessel remains eligible for documentation under this subpart even if the vessel was formerly owned by a not-for-profit oil spill response cooperative or by one or more members of a not-for-profit oil spill response cooperative and the vessel meets the criteria of § 68.05-5.

**§ 68.05-9 Privileges of a limited coastwise endorsement.**

(a) A vessel which is documented and issued a limited coastwise endorsement under this subpart may operate on the navigable waters of the United States or in the EEZ in coastwise trade only for the following purposes:

(1) To recover oil discharged into the water.

(2) To transport oil discharged into the water.

(3) To transport and deploy equipment, supplies, and personnel for recovering and transporting oil discharged into the water.

(4) To conduct training exercises to prepare for performing the functions in paragraphs (a)(1) through (a)(3) of this section.

(b) This limited coastwise endorsement also entitles the vessel to any other employment for which a registry, fishery, or Great Lakes license is not required.

(c) A vessel which is documented and issued a limited coastwise endorsement under this subpart may qualify to operate for other purposes by meeting the applicable requirements of part 67 of this chapter.

**§ 68.05-11 Application to document a vessel under this subpart.**

(a) To qualify to document a vessel or to accept the dedication of a vessel by a member or members under this subpart, a not-for-profit oil spill response cooperative shall file with the Director, National Vessel Documentation Center the certificate under oath

as set forth in Appendix A to this subpart.

(b) Upon the filing of the certificate under paragraph (a) of this section, the Director, National Vessel Documentation Center will furnish the not-for-profit oil spill response cooperative with a letter of qualification. The letter of qualification is valid for a period of three years from the date of its issuance, unless there is a change in membership or structure of the not-for-profit oil spill response cooperative or a change in the citizenship status of any of its members requiring a report under § 68.05-13. In order to renew the letter of qualification, a new certificate under oath must be filed with the Commandant at least 30 days before the date of expiration of the letter of qualification.

(c) A not-for-profit oil spill response cooperative seeking to document a vessel for a limited coastwise endorsement under this subpart, in addition to complying with the requirements of § 68.05-7(a), shall supply to the National Vessel Documentation Center, a copy of the letter of qualification issued under paragraph (b) of this section.

(d) A member or members of a not-for-profit oil spill response cooperative seeking to document a vessel under this subpart shall supply to the National Vessel Documentation Center, a copy of the letter of qualification issued under paragraph (b) of this section to the not-for-profit oil spill response cooperative to which the vessel is dedicated. In addition, the not-for-profit oil spill response cooperative and the vessel owners shall all certify under oath that the vessel for which application is made is dedicated to use by the not-for-profit oil spill response cooperative. This certification must use the format and content described in appendix B to this subpart. If there is a change in the dedicated status of the vessel or its ownership, a report under § 68.05-13 must be filed.

[GCD 89-007; GCD 89-007a, 58 FR 60266, Nov. 15, 1993, 58 FR 65131, Dec. 13, 1993, as amended by CGD 95-014, 60 FR 31606, June 15, 1995; USCG-1999-6216, 64 FR 53225, Oct. 1, 1999]

**§ 68.05-13 Cessation of qualifications.**

(a) If the vessel is owned by a not-for-profit oil spill response cooperative and

a change occurs which affects the validity of the certificate required by §68.05–11(a), or the ownership of the vessel changes so that it no longer meets the criteria of §68.05–5, the qualification for the privileges enumerated in §68.05–9 is terminated effective as of the date and time of the change. The not-for-profit oil spill response cooperative shall report the change in writing to the Director, National Vessel Documentation Center.

(b) If the vessel is owned by a member or members of a not-for-profit oil spill response cooperative and a change occurs which affects the validity of the certificate required by §68.05–11(a), or the ownership of the vessel changes so that it no longer meets the criteria of §68.05–5, the qualification of the member or members for the privileges enumerated in §68.05–9 is terminated effective as of the date and time of the change. The member or members shall report the change in writing to the Director, National Vessel Documentation Center.

(c) When qualifications are terminated under this section, the certificate of documentation issued under this subpart must be surrendered or exchanged in accordance with part 67 of this chapter.

[CGD 89–007; GCD 89–007a, 58 FR 60266, Nov. 15, 1993, 58 FR 65131, Dec. 13, 1993, as amended by CGD 95–014, 60 FR 31606, June 15, 1995; USCG–1999–6216, 64 FR 53225, Oct. 1, 1999]

**APPENDIX A TO SUBPART 68.05 OF PART 68—OATH FOR QUALIFICATION OF A NOT-FOR-PROFIT OIL SPILL RESPONSE COOPERATIVE**

*Department of Homeland Security, U.S. Coast Guard*

Oath for Qualification of a Not-For-Profit Oil Spill Response Cooperative [46 U.S.C. 12106(d)]

Cooperative:

Name \_\_\_\_\_

Address \_\_\_\_\_

Jurisdiction where incorporated or organized \_\_\_\_\_

Affiant:

Name \_\_\_\_\_

Address \_\_\_\_\_

Cooperative \_\_\_\_\_

Title or Capacity \_\_\_\_\_

I, the affiant, swear that I am legally authorized to make this oath and hold the capacity so bestowed upon me as \_\_\_\_\_, on behalf of the \_\_\_\_\_ cooperative and its members, that it is a not-for-profit cooperative, and that it is engaged in training for, carrying out, or supporting oil spill cleanup operations or related research activities.

That all members of the cooperative who may use the letter of qualification issued to this cooperative are truly and correctly named, including home address and citizenship of each on the attached listing incorporated in and made a part of this oath.

Signature \_\_\_\_\_

Subscribed and sworn to before me on the day and year shown.

(Notary Public)

Date \_\_\_\_\_

[CGD 90–055, 57 FR 7642, Mar. 3, 1992, as amended by USCG–2003–14505, 68 FR 9535, Feb. 28, 2003]

**APPENDIX B TO SUBPART 68.05 OF PART 68—OATH FOR DOCUMENTATION OF VESSELS FOR USE BY A NOT-FOR-PROFIT OIL SPILL RESPONSE COOPERATIVE**

*Department of Homeland Security, U.S. Coast Guard*

Oath for Documentation of Vessels For Use by a Not-For-Profit Oil Spill Response Cooperative [46 U.S.C. 12106(d)]

Cooperative:

Name \_\_\_\_\_

Address \_\_\_\_\_

Jurisdiction where incorporated or organized \_\_\_\_\_

I, the undersigned officer of \_\_\_\_\_, a not-for-profit oil spill response cooperative, swear that I am legally authorized to make this oath on behalf of the cooperative, and its members and that the cooperative has accepted the vessel \_\_\_\_\_.

I/we \_\_\_\_\_, am/are the owner(s) of the vessel. I/we further swear that the vessel has been dedicated to the exclusive use of the cooperative for the purpose of training for, carrying out, or supporting oil spill cleanup operations or related research activities for discharges of oil into the navigable waters of the United States and the Exclusive Economic Zone and that the cooperative has accepted the vessel.

For the Cooperative:

Name \_\_\_\_\_

Address \_\_\_\_\_

Cooperative \_\_\_\_\_

## Coast Guard, Dept. of Homeland Security

## § 69.1

Title or Capacity \_\_\_\_\_  
For Each Vessel Owner:  
Name \_\_\_\_\_  
Cooperative \_\_\_\_\_  
Title or Capacity \_\_\_\_\_  
Subscribed and sworn to before me on the  
day and year shown.  
\_\_\_\_\_  
(Notary Public)  
Date \_\_\_\_\_  
[CGD 90-055, 57 FR 7642, Mar. 3, 1992, as  
amended by USCG-2003-14505, 68 FR 9535,  
Feb. 28, 2003]

### PART 69—MEASUREMENT OF VESSELS

#### Subpart A—General

- Sec.  
69.1 Purpose.  
69.3 Applicability.  
69.5 Vessels required or eligible to be meas-  
ured.  
69.7 Vessels transiting the Panama and  
Suez Canals.  
69.9 Definitions.  
69.11 Determining the measurement system  
or systems for a particular vessel.  
69.13 Deviating from the provisions of a  
measurement system.  
69.15 Authorized measurement organiza-  
tions.  
69.17 Application for measurement services.  
69.19 Remeasurement and adjustment of  
tonnage.  
69.21 Right of appeal.  
69.23 Fees.  
69.25 Penalties.  
69.27 Delegation of authority to measure  
vessels.  
69.29 OMB control numbers assigned under  
the Paperwork Reduction Act.

#### Subpart B—Convention Measurement System

- 69.51 Purpose.  
69.53 Definitions.  
69.55 Application for measurement services.  
69.57 Gross tonnage.  
69.59 Enclosed spaces.  
69.61 Excluded spaces.  
69.63 Net tonnage.  
69.65 Calculation of volumes.  
69.67 Marking of cargo spaces.  
69.69 Issuance of an International Tonnage  
Certificate (1969).  
69.71 Change of net tonnage.  
69.73 Variance from the prescribed method  
of measurement.  
69.75 Figures.

#### Subpart C—Standard Measurement System

- 69.101 Purpose.  
69.103 Definitions.  
69.105 Application for measurement serv-  
ices.  
69.107 Gross and net tonnages.  
69.109 Under-deck tonnage.  
69.111 Between-deck tonnage.  
69.113 Superstructure tonnage.  
69.115 Excess hatchway tonnage.  
69.117 Spaces exempt from inclusion in  
gross tonnage.  
69.119 Spaces deducted from gross tonnage.  
69.121 Engine room deduction.  
69.123 Figures.

#### Subpart D—Dual Measurement System

- 69.151 Purpose.  
69.153 Application of other laws.  
69.155 Measurement requirements.  
69.157 Definitions.  
69.159 Application for measurement serv-  
ices.  
69.161 Gross and net tonnages.  
69.163 Under-deck tonnage.  
69.165 Between-deck tonnage.  
69.167 Superstructure tonnage.  
69.169 Spaces exempt from inclusion in  
gross tonnage.  
69.171 When the tonnage mark is considered  
submerged.  
69.173 Tonnage assignments for vessels with  
only one deck.  
69.175 Tonnage assignments for vessels with  
a second deck.  
69.177 Markings.  
69.179 Certification of markings.  
69.181 Locating the line of the second deck.  
69.183 Figures.

#### Subpart E—Simplified Measurement System

- 69.201 Purpose.  
69.203 Definitions.  
69.205 Application for measurement serv-  
ices.  
69.207 Measurements.  
69.209 Calculation of tonnages.

AUTHORITY: 46 U.S.C. 2301, 14103; 49 CFR  
1.46.

SOURCE: CGD 87-015b, 54 FR 37657, Sept. 12,  
1989, unless otherwise noted.

#### Subpart A—General

##### § 69.1 Purpose.

This part implements legislation concerning the measurement of vessels to determine their tonnage (part J of 46 U.S.C. subtitle II). Tonnages are required before a vessel may be documented as a vessel of the United States. Also, tonnages are used to